

MINUTES OF THE COMMISSION MEETING

Chairman Dustin Johnson called the meeting to order. Present were: Vice Chairman Gary Hanson; Commissioner Steve Kolbeck; Executive Director Patty Van Gerpen; Deputy Executive Director Heather Forney; Commission Advisor Greg Rislov; Commission Attorneys Rolayne Wiest and John Smith; Staff Attorneys Karen Cremer and Kara VanBockern; Staff Analysts Keith Senger, Harlan Best, Dave Jacobson, Brian Rounds, Nathan Solem and Bob Knadle; Consumer Affairs Supervisor, Deb Gregg; and Administrative Secretary Demaris Axthelm.

Also present were: Darla Pollman Rogers, Riter, Rogers, Wattier & Brown, representing Venture Communications Cooperative and Kadoka Telephone Company; and Randy Houdek, Venture Communications Cooperative.

Joining the meeting by telephone were: Bill Heaston and Kathy Ford, PraireWave Telecommunications, Inc.; Larry Hettinger, Heartland Consulting; Talbot Wieczorek, Gunderson, Palmer, Goodsell & Nelson, representing Alltel Communications and Rural Cellular Corporation; Meredith Moore, Cutler and Donahoe, representing Hills Telephone Company; Mike Bradley, Moss and Barnett, representing Fort Randall Telephone; and Bruce Hanson, Fort Randall Telephone.

Administration

- 1. Approval of the Minutes of the Commission Meeting Held on December 6, 2006, and Ad Hoc Meetings Held on December 12 and December 28, 2006. (Staff: Demaris Axthelm)**

Vice Chairman Hanson moved to approve the Commission Minutes of December 6, 2006 and Ad Hoc Minutes of December 12 and December 28, 2006. Motion passed 3-0

Consumer Reports

- 1. Status Report on Consumer Utility Inquiries and Complaints Received by the Commission. (Consumer Affairs: Deb Gregg)**

Ms. Deb Gregg reported that the Commission had received a total of 127 contacts. Since the last report was prepared for the January 2, 2007 Commission meeting, 27 contacts involved telecommunications services; 22 contacts involved electricity issues; 9 contacts involved natural gas issues; 14 contacts involved cellular phone issues; 27 contacts involved Do Not Call Registry; and 28 contacts involved issues not regulated by the Public Utilities Commission. In 2007, 83 of the 191 complaints registered have been resolved informally.

1. **EL07-002 In the Matter of the Application of Basin Electric Power Cooperative, Inc. for an Energy Conversion Facility Permit for the Construction of the Groton Generation Station Unit 2 Project near Groton, South Dakota. (Staff Analysts: Keith Senger/Brian Rounds, Staff Attorney: Kara Van Bockern)**

Mr. Keith Senger recommended that the Commission assess a filing fee not to exceed \$202,500 with an initial deposit of \$8,000 and to allow the Executive Director to request additional deposits as needed.

Chairman Johnson moved to assess a filing fee not to exceed \$202,500 with an initial deposit of \$8,000. Commissioner Kolbeck seconded and Vice Chairman Hanson concurred. Motion passed 3-0

Telecommunications

1. **TC05-016 In the Matter of the Filing by PrairieWave Telecommunications, Inc. for Designation as an Eligible Telecommunications Carrier. (Staff Analyst: Harlan Best, Staff Attorney: Karen Cremer)**

Chairman Johnson moved to deny PrairieWave's request for designation as an eligible telecommunications carrier. Commissioner Kolbeck seconded and Vice Chairman Hanson concurred. Motion passed 3-0

2. **TC06-181 In the Matter of the Petition of Venture Communications Cooperative for Suspension or Modification of Local Dialing Parity Reciprocal Compensation Obligations (Staff Analyst: Harlan Best, Staff Attorney: Kara Van Bockern)**

Mr. Talbot Wieczorek, representing Alltel Communication Inc. (Alltel) asked the Commission to grant the request to use the Office Hearing Examiner (OHE) so that a schedule can be put in place and a hearing held. Ms. Darla Rogers, representing Venture Communications Cooperative (Venture), asked the Commission to defer this Docket, so Venture can submit a written response to the request. Ms. Kara Van Bockern recommended that Commission hold an Ad Hoc Meeting to hear arguments and to set deadlines for submission of briefs.

Commissioner Kolbeck moved to grant deferral. Chairman Johnson seconded and Vice Chairman Hanson concurred. Motion passed 3-0.

Chairman Johnson moved to set the deadline for Ms. Rogers to have Venture's brief filed by 5:00 PM, January 26, 2007 and the deadline for Alltel's response of 12:00 PM January 31, 2007. Commissioner Kolbeck seconded and Vice Chairman Hanson concurred. Motion passed 3-0.

3. **TC06-199 In the Matter of the Filing by 1-800-Reconex, Inc.**

Mr. Nathan Solem recommended that the Commission approve 1-800-Reconex, Inc.'s, petition for an extension and grant the waivers of ARSD 20:10:27:12 and 20:10:27:07 with no time restrictions as long as its switched access rate is lower than or equal to the Qwest Corporation rate.

Vice Chairman Hanson moved to grant the request for extension of an exemption from developing company specific cost-based switched access rates and grant the waivers of ARSD 20:10:27:12 and 20:10:27:07 with no time restrictions as long as the company's switched access rate is lower than or equal to the Qwest Corporation rate. Commissioner Kolbeck seconded and Chairman Johnson concurred. Motion passed 3-0.

- 4. TC07-003 In the Matter of the Filing by Hills Telephone Company, Inc. for Approval of Revisions to its Intrastate Switched Access Tariff. (Staff Analyst: Harlan Best, Staff Attorney: Karen Cremer)**

Ms. Meredith Moore, representing Hills Telephone Company, Inc. (Hills), asked the Commission to approve the revised tariff rates. Mr. Harlan Best recommended that the Commission not require a refund to be made and that the LECA plus tariff rate of 12.25 cents be approved effective February 1, 2007.

Chairman Johnson moved to approve the revisions to Hills' Intrastate Switched Access Tariff, to not require a refund to be made and set a rate of 12.25 cents per minute, effective February 1, 2007. Commissioner Kolbeck seconded and Vice Chairman Hanson concurred. Motion passed 3-0.

- 5. TC07-004 In the Matter of the Filing by Kadoka Telephone Company for Approval of Revisions to its Intrastate Switched Access Tariff. (Staff Analyst: Harlan Best, Staff Attorney: Karen Cremer)**

Ms. Darla Rogers representing Kadoka Telephone Company, asked the Commission to approve the revised Tariff Rates at the LECA plus rate of 12.25 cents. Mr. Harlan Best recommended that the Commission not require a refund to be made and that the tariff rate of 12.25 cents be effective February 1, 2007.

Chairman Johnson moved to approve the revisions to Kadoka's Intrastate Switched Access Tariff, to not require a refund to be made and set a rate of 12.25 cents per minute, effective February 1, 2007. Commissioner Kolbeck seconded and Vice Chairman Hanson concurred. Motion passed 3-0.

ADDENDUM

Electric

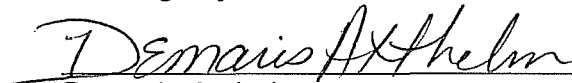
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EL07-002 In the Matter of the Application of Basin Electric Power Cooperative, Inc. for an Energy Conversion Facility Permit for the Construction of the Groton Generation Station Unit 2 Project near Groton, South Dakota. (Staff Analysts: Keith Senger/Brian Rounds, Staff Attorney: Kara Van Bockern

Ms. Kara Van Bockern, representing staff stated that the Commission is required by SDCL 49-41B-15 to serve notice on each landowner of record within ½ mile of the site. Staff believes, to ensure compliance with the law, that the Department of Transportation process of using a professional abstractor to certify current owners of record is the process that should be followed. Ms. Van Bockern recommended the Commission approve the contract with Clark Title Company to locate land owners to insure that the Commission will be able to contact all land owners.

Chairman Johnson moved to authorize Executive Director to execute the contract with Clark Title Company. Commissioner Kolbeck seconded and Vice Chairman Hanson concurred. Motion passed 3-0

Meeting adjourned.


Demaris Axthelm
Administrative Secretary